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4 Attorney for Defendant, ANTHONY OCHOA

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6 IN THE UNITED STATES DISTRICT COURT FOR THE

7 EASTERN DISTRICT OF CALIFORNIA

8

9 UNITED STATES OF AMERICA, } Case No.: 1:24 CR 55 JLT/SKO  
10 Plaintiff, } Stipulation and Order to Continue  
11 vs. } Arraignment On Second Superseding  
12 ANTHONY OCHOA, } Indictment  
13 Defendant. }  
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16 The parties to this matter, by and through their respective counsel, hereby stipulate as  
17 follows:

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- 19 1. A Second Superseding Indictment in this case was returned on August 1, 2024. That  
20 indictment did not make any substantive changes in the counts alleged against Mr. Ochoa  
21 nor did it impact Mr. Ochoa's potential sentence. The parties stipulate and agree that Mr.  
22 Ochoa's arraignment be postponed until February 10, 2025, at which time it is expected  
23 that a disposition will be entered in the case. Time is excluded in this case until the next  
24 scheduled Status Conference on May 7, 2025.
- 25
- 26 2. Mr. Ochoa is out of custody and resides in Southern California. Travel to the Eastern  
27 District of California is challenging for him to arrange and he has entered a Rule 43  
waiver on file. He is in compliance with his PreTrial Release conditions.

- 1       3. Mr. Ochoa is currently ordered to appear before the Court on January 22, 2025 for  
2                     arraignment.
- 3       4. On August 7, 2024, a status conference was held and Mr. Ochoa appeared through  
4                     counsel only pursuant to his waiver. The government objected to the entry of a not guilty  
5                     plea pursuant to the waiver. A status conference and arraignment was scheduled for  
6                     January 15, 2025 despite counsel's advisement to the Court that he would not be able to  
7                     appear on that date due to a previously scheduled multi-party hearing in another location.  
8                     Given the number of parties involved in this case, the Court advised counsel to make  
9                     arrangements to have other counsel cover the January 15, 2025, appearance in this Court.
- 10      5. Before the January 15, 2025, conference in this case, defense counsel discussed the  
11                     situation with the assigned AUSA and advised that other counsel would make a Special  
12                     Appearance on defense counsel's behalf and that Mr. Ochoa would not personally appear.
- 13      6. Defense counsel has communicated with assigned District Judge Thurston's chambers  
14                     and Judge Thurston's February 10, 2025, calendar will accommodate a change of plea.

17      Dated: January 16, 2025

MICHELE BECKWITH, ACTING U.S. ATTY

18                     \_\_\_\_\_  
19                     /s/ Antonio Pataca  
20                     ANTONIO PATACA  
21                     Assistant United States Attorney

22      Dated: January 16, 2025

Respectfully submitted,

23                     \_\_\_\_\_  
24                     /s/ Kevin Rooney  
25                     KEVIN P. ROONEY  
26                     Attorney for Defendant  
27                     Anthony Ochoa

## ORDER

IT IS SO ORDERED, pursuant to the stipulation of the parties, that as to defendant Anthony Ochoa, arraignment on the Second Superseding Indictment in this case shall be continued until February 10, 2025, at 2:00 PM before the duty magistrate judge. Defendant Anthony Ochoa is Ordered to appear in person.

Dated: 1/17/2025

Sheila K. Oberto  
Hon. Sheila K. Oberto  
United States Magistrate Judge